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## Arkansas Department of Correction

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FCC Mail Room

July 7, 2017

Agit Pai, Chairman, Federal Communications Commission  
Marlene H. Dortch, Secretary, Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

**Re: GN Docket 13-111, FCC 17-25, Promoting Technological Solutions to Combat  
Contraband Wireless Device Use in Correctional Facility**

Dear Chairman Pai and Secretary Dortch;

I appreciate the time Chairman Pai allowed last week for several directors of corrections to meet with him and his staff. I am also excited to see that the FCC recognizes that inmates are using contraband cell phones to order hits, operate illegal drug activities, scams, and escapes that endanger correctional employees, other inmates, and members of the public.

As ASCA President Leann Bertsch wrote, "kidnapping, extortion, bribery, witness intimidation, robbery, identity theft, malware attacks, security breaches and other serious crimes are being orchestrated on these smuggled devices. From carrier pigeons to drones, to body cavity to corrupt vendors and staff, cell phones are making their way behind prison walls in large numbers. The phones themselves have allowed inmates to coordinate the introduction of more illegal phones and other contraband. As you witnessed first-hand, Captain Robert Johnson is but one of the many victims of this plague." In Arkansas, these cellphones have been used in two escapes in the last two weeks which is not only a public safety problem, but is a burden on state and local law enforcement officers and correctional officers who are searching dangerous neighborhoods, streets, and buildings looking for these escapees. Last week, we were also able to meet with the DOJ who advised of their National Blue Alert Network being rolled out to disseminate information when violence against a law enforcement officer is threatened; we know contraband cell phones are used to arrange hits on law enforcement. They noted the President's Executive Order known as "Back the Blue Order" on preventing violence against law enforcement officers needs to address contraband cell phones.

While the FCC has looked at managed access in the past to assist with this problem, that technology is expensive and the carriers have managed to make it difficult to use as the California Director explained last week.

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I want to reiterate President Bertsch's request to amend your proposed rule to include surgical jamming technology, and to provide stringent measures to ensure carrier cooperation with beacon technology, managed access technology and future technologies.

I agree with her that "Section 333 of the Federal Communications Act does not prevent the FCC from authorizing the use of jamming **illegal** wireless device signals. Section 333 merely prohibits the 'willful or malicious interference to **authorized** radio communications.' Since cell phones are contraband within correctional facilities, their use constitutes **unauthorized** communications; jamming those illegal signals could not violate Section 333."

We need you to encourage or require FCC regulated wireless carriers to be part of the solution.

Thank you for your attention to this matter and please let me know if there is anything we can do to prompt action regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Wendy Kelley". The signature is fluid and cursive, with the first name "Wendy" being more prominent than the last name "Kelley".

Wendy Kelley